

REMARKS

Claims 1-26 are all the claims pending in the application. Claims 3, 8, 11, 16, 19, and 25 have been indicated to be allowable. Claims 3, 11, and 19 have been cancelled and the limitations from claims 3, 11, and 19 have been incorporated into claims 1, 9, 17, and 26, and claims 8, 16, and 23 have been rewritten in independent form, to place all the claims the application in condition for immediate allowance. The remaining dependent claims 4, 12, and 20 have been amended to now depend from an allowed independent claim, and should therefore be allowed.

Applicants have amended claims 1-2, 4-10, 12-18, 20-23, and 25 and cancelled claims 3, 11, and 19 from further consideration in this application. Applicants are not conceding in this application that those claims are not patentable over the art cited by the Examiner, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of the allowable subject matter noted by the Examiner. Applicants respectfully reserve the right to pursue these and other claims in one or more continuations and/or divisional patent applications.

Pursuant to new Rule 37 CFR 1.75(b) and *Pfizer Inc. v. Ranbaxy Labs, Ltd.*, 437 F.3d 1284, 1292, 70 U.S.P.Q.2d 1583, 1589-90 (Fed. Cir. 2006) all the dependent claims have been amended above to incorporate the claim language as specified in the new rule. Specifically, 37 CFR 1.75(b) states “a dependent claim must contain a reference to a claim previously set forth in the same application, incorporate by reference all the limitations of the previous claim to which such dependent claim refers, and specify a further limitation of the subject matter of the previous claim.”

In view of the foregoing, Applicants submit that claims 1-2, 4-10, 12-18, and 20-26, all the claims presently pending in the application, are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary.

Please charge any deficiencies and credit any overpayments to Attorney's Deposit Account Number 09-0441.

Respectfully submitted,

Dated: February 6, 2008

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